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SERVICE MARK
Docket No. 13914.576.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ICON HEALTH & FITNESS ✓)

Serial No.:

75/757,235 ✓)

Filed:

July 21, 1999)

Mark:

IFIT.COM ✓)

Notice of Allowance Date:

June 20, 2000)

STATEMENT OF USE UNDER 37 C.F.R. § 2.88

BOX: ITU FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513



12-20-2000

U.S. Patent & TMO/TM Mail Rpt Dt. #34

Sir:

Brad H. Bearnson declares:

1. That he is the General Counsel of Icon Health & Fitness, Inc. (hereinafter "applicant") and is authorized to make this declaration on behalf of the applicant;
2. That he believes applicant to be the owner of the above-identified service mark which is sought to be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946;
3. That applicant is using in commerce the above-identified service mark in connection with all of the services identified in the Notice of Allowance;

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4. That the service mark was first used in connection with the services at least as early as February, 1999, was first used in interstate commerce at least as early as February, 1999, and is now in use in such commerce, as evidence by the attached specimen(s) showing the mark as used in commerce; and

5. That all statements made of his own knowledge are true and all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Dated this 5th day of November 2000.

ICON HEALTH & FITNESS, INC.



Brad H. Bearnson
General Counsel

JWR:pcs
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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

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Date of Deposit: December 20, 2000

I hereby certify that the following documents in the name ICON HEALTH & FITNESS, INC. for the mark IFIT.COM, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to the Assistant Commissioner for Trademarks, Box ITU FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Dated this 20th day of December, 2000.

Respectfully submitted,



Peggy C. Shock, Legal Assistant to
JONATHAN W. RICHARDS and
DANA L. TANGREN
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800

SUBMITTED:

- Statement of Use
- Certificate of Express Mail
- Check in the amount of \$100
- Three (3) specimens
- Postcard

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Express Mail Label No: EL 661 548 358 US

TM ADEMARK APPLICATION
Docket No: 13914.576.3

6/20/00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

75/757,235

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Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513



12-20-2000
U.S. Patent & TMO/TM Mail Rcpt Dt. #34

Sir:

Enclosed herewith for filing is a Statement of Use Under 37 CFR § 2.88 in the name of ICON HEALTH & FITNESS, INC. for the mark IFIT.COM. Three specimens of the mark are attached to the Statement of Use. Also enclosed is a Certificate of Express Mailing for Label No. EL 6661 548 358 US.

Enclosed please find our Check No. 119068 in the amount of \$100.00 to cover the government filing fee.

Please charge any additional fee or credit overpayment to Deposit Account No. 23-3178. Copies of this sheet are enclosed in triplicate.

Dated this 20th day of December, 2000.

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246

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Express Mail Label No: EL 66' 548 358 US

TM TRADEMARK APPLICATION
Docket No: 13914.576.3

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